: Patrick Leahy : 10/553,929

Serial No.
Page

: 2

Amendments to the Claims:

This listing of claims will replace all prior versions and listings of claims in the present application:

1. (Currently Amended) A device for use in parietal surgery, the device comprising: a body;

a shaft movably disposed along the body, the shaft including a tip portion that is adapted to be separated from a remainder of the shaft;

a parietal surgical implant in the form of a mesh adapted for use in repairing hernias, the parietal surgical implant being locatable in a collapsed state within the body, the parietal surgical implant being adapted to be displaceable between the collapsed state and an expanded state;

means for expanding the parietal surgical implant from the collapsed state into the expanded state;

means for retaining the parietal surgical implant within the body in the collapsed state, the retaining means comprising a sleeve within which the parietal surgical implant is locatable, the sleeve being displaceable relative to the parietal surgical implant in order to expose the parietal surgical implant;

a mesh adapted for use in repairing hernias, said the mesh of the parietal surgical implant having a mesh perimeter and a shaft mounting area, the mesh being mounted to a the tip portion of the shaft via the shaft mounting area;

the expanding means comprising a collar slidably mounted about the shaft, and at least one arm mounted between the collar and an arm mounting position of the mesh, the arm mounting position being spaced apart from the shaft mounting area, the collar being displaceable towards the mesh[[,]] in order to urge the mesh towards the expanded state; and

: Patrick Leahy : 10/553,929

Serial No.

Page

: 3

an abutment <u>seated</u> against <u>which</u>, in use, the mesh <u>may be seated</u>, to secure the mesh in place in its expanded state at the hernia once the tip portion of the shaft is separated from the remainder of the shaft, the tip portion of the shaft remaining in engagement with the mesh after separation of the tip portion from the remainder of the shaft, in order to secure the mesh in place, and the abutment having a recess within which a cut end the tip portion of the shaft may be is seated, such that the abutment covers the cut end tip portion of the shaft and distributes the pressure exerted by the cut end tip portion of the shaft following the closure of a surgical incision through which the hernia is accessed by the device.

2-5. (Cancelled)

- 6. (Previously Presented) A device according to claim 1 in which the body is provided with means for gripping the body in order to facilitate manipulation of the device.
- 7. (Previously Presented) A device according to claim 6 further comprising an actuator operable to effect displacement of the sleeve relative to the parietal surgical implant, the actuator being located at or adjacent the gripping means, the actuator being operatively associated with the sleeve.
- 8. (Original) A device according to claim 7 in which the actuator is mounted for slidable engagement with the body.

9-10. (Cancelled)

11. (Previously Presented) A device according to claim 1 in which the expanding means comprises a plurality of arms mounted about the collar, the plurality of arms being secured to a plurality of the arm mounting positions of the mesh, the arm mounting positions being spaced apart from the shaft mounting area.

: Patrick Leahy

Serial No.

: 10/553,929

Page

: 4

- 12. (Previously Presented) A device according to claim 11 in which the plurality of arm mounting positions are spaced apart on the mesh perimeter.
- 13. (Previously Presented) A device according to claim 11 in which the mesh is substantially circular and the shaft mounting area is located substantially centrally therein; and the plurality of arm mounting positions are circumferentially spaced apart-on the mesh perimeter.
- 14. (Previously Presented) A device according to claim 1 in which the arm mounting position is located adjacent the mesh perimeter.
- 15. (Previously Presented) A device according to claim 1 in which the shaft mounting area is substantially centrally located.
- 16. (Previously Presented) A device according to claim 1 in which the shaft is provided with a shaft handle displaceable relative to the body, such that the mesh may be drawn towards the expanding means in order to effect expansion of the mesh.
- 17. (Previously Presented) A device according to claim 1 in which the mesh is separable from the shaft.
- 18. (Previously Presented) A device according to claim 1 in which the mesh and the shaft are adapted for a press fit engagement.
- 19. (Previously Presented) A device according to claim 1 in which the shaft is formed from a material which may be cut by conventional surgical equipment.
- 20. (Cancelled)

: Patrick Leahy

Serial No.

: 10/553,929

Page

: 5

21. (Previously Presented) A device according to claim 1 in which the body is provided with a distensible member thereon.

22. (Original) A device according to claim 21 in which the distensible member comprises a balloon connectable to a fluid supply in order to effect the inflation thereof.

23. (Previously Presented) A device according to claim 1 in which the parietal surgical implant is formed from a biodegradable material.

24. (Previously Presented) A parietal surgical implant for use as a replacement part for a device according to claim 1, the parietal surgical implant being provided in a collapsed state, and being adapted to be displaceable between the collapsed state and an expanded state.

25-26. (Cancelled)

27. (Previously Presented) A parietal surgical implant according to claim 24 in which the expanding means comprises a plurality of arms mounted about the collar, the plurality of arms being secured to a plurality of the arm mounting positions of the mesh, the arm mounting positions being spaced apart from the shaft mounting area.

28. (Currently Amended) A method of surgical repair at a surgical repair site, comprising the steps of[[;]]:

providing a device according to claim 1;

passing the parietal surgical implant, in the collapsed state, through an incision into a position adjacent the surgical repair site;

expanding the parietal surgical implant from the collapsed state into an expanded state; and

: Patrick Leahy

Serial No.

: 10/553,929

Page

: 6

securing the parietal surgical implant against the surgical site by locating the abutment against the mesh of the parietal surgical implant before closing the incision.

29. (Cancelled)

- 30. (Previously Presented) A device according to claim 1 further comprising an actuator operable to effect displacement of the sleeve relative to the parietal surgical implant.
- 31. (Previously Presented) A device according to claim 1 in which the body is of elongate tubular form.
- 32. (New) A device for use in parietal surgery, the device comprising:

a body;

a shaft movably disposed along the body, the shaft including a tip portion that is adapted to be separated from a remainder of the shaft;

a parietal surgical implant in the form of a mesh adapted for use in repairing hernias, the mesh having a mesh perimeter, a shaft mounting area that receives the tip portion of the shaft to mount the mesh to the shaft, and an arm mounting position that is spaced from the shaft mounting area, the mesh being locatable in a collapsed state within the body, and the mesh being displaceable between the collapsed state and an expanded state;

a collar slidably mounted about the shaft, the collar and the mesh being displaceable relative to one another in order to expand the mesh from the collapsed state into the expanded state;

at least one arm mounted between the collar and the arm mounting position of the mesh, the at least one arm being operable to expand the mesh toward the expanded state when the collar and the mesh are displaced relative to one another;

a sleeve for retaining the mesh within the body in the collapsed state, the mesh being locatable within the sleeve, and the sleeve being displaceable relative to the mesh in order to expose the mesh; and

Applicant Serial No.

: Patrick Leahy : 10/553,929

Page

: 7

an abutment configured to be seated against the mesh for securing the mesh in place in its expanded state at the hernia once the tip portion of the shaft is separated from the remainder of the shaft, the tip portion of the shaft remaining in engagement with the mesh after separation of the tip portion from the remainder of the shaft, and the abutment having a recess within which the tip portion of the shaft is seated, such that the abutment covers the tip portion of the shaft and distributes pressure exerted by the tip portion of the shaft following the closure of a surgical incision through which the hernia is accessed by the device.